



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/787,071

Applicant: Robert E. DUDLEY

Filed: February 25, 2004

Title: METHOD FOR TREATING ERECTILE DYSFUNCTION  
AND INCREASING LIBIDO IN MEN

Art Unit: 1617

Examiner: Unknown

Docket No.: 04251764

Customer No.: 26565

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY  
"EXPRESS MAIL"  
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Date of Deposit: November 18, 2004  
I hereby certify that this paper or fee is being  
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Tim Huball

RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION

Dear Sir:

1. ☒ This replies to the Notice to File Missing Parts of Nonprovisional Application mailed May 19, 2004. A copy of the Notice to File Missing Parts of Nonprovisional Application is enclosed.
2. ☒ The Oath or Declaration was missing. A copy of the Combined Declaration and Power of Attorney and an executed Authorization to Act in a Representative Capacity form is being submitted under 37 CFR 1.51(b)(2) and 1.53(f).
3. ☒ The specification, claims, and abstract pages were not acceptable and cannot be scanned properly because pages 59-61 are not typewritten. A substitute specification in compliance with 37 CFR 1.52, 1.212(b)(3) and 1.125 is submitted herewith.
4. ☒ This filing is by a ☒ large entity.  
☐ small entity,  
☐ which was declared at the time of filing the application.  
☐ which is being declared now, and a separate refund request for the application fee accompanies this paper.

5. ☒ Additional claim fees of \$734.00 as a non-small entity, and the statutory basic filing fee of \$770.00 for a large entity, are required. The additional claims fee and statutory basic filing fee are enclosed with the total fees set forth below.

6. Completion Fees

a. The surcharge for filing the required oath/declaration is \$130.00 for small entity.

7. Extension of Time

a. ☒ Applicant petitions for an extension of time for four months, including payment of the appropriate fee in the amount of \$1,530.00. If an additional extension of time is required, please consider this a petition therefore.

☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

6. Total Fees Due

|                             |            |
|-----------------------------|------------|
| Completion Fees:            | \$130.00   |
| Statutory Basic Filing Fee: | \$770.00   |
| Additional Claim Fees:      | \$734.00   |
| Extension Fees:             | \$1,530.00 |

TOTAL FEE DUE: \$3,164.00

7. Payment of Fees

☒ Attached is a check in the amount of \$3,164.00

☐ Authorization is hereby made to charge the amount of \_\_\_\_\_ to Deposit Account No. 13-0019

☒ Charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 13-0019. A duplicate paper is attached for this purpose.

Respectfully submitted,



David Fournier  
Reg. No. 51,696

Date: November 18, 2004

**CUSTOMER NO. 26565**

**MAYER, BROWN, ROWE & MAW LLP**

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/787,071         | 02/25/2004             | Robert E. Dudley      | 04251764               |

26565  
 MAYER, BROWN, ROWE & MAW  
 P.O. BOX 2828  
 CHICAGO, IL 60690



CONFIRMATION NO. 2849

## FORMALITIES LETTER



\*OC000000012709564\*

Date Mailed: 05/19/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

11/22/2004 SDENBOB1 00000015 130019 10787071

FILED UNDER 37 CFR 1.53(b)

|            |           |
|------------|-----------|
| 02 FC:1001 | 790.00 OP |
| 03 FC:1051 | 130.00 OP |
| 04 FC:1201 | 88.00 OP  |
| 05 FC:1202 | 626.00 OP |
| 22.00 DA   |           |

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125, is required. The specification, claims, or abstract page(s) submitted is not acceptable and cannot be scanned or properly stored because:
  - The specification, claims, or abstract page(s) 59 - 61 are not typewritten or mechanically printed in permanent dark ink on one side (see 37 CFR 1.52(a) and (b)).

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$734** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

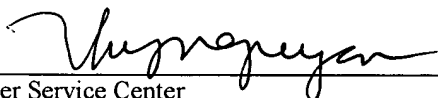
Total additional fee(s) required for this application is **\$1634** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$734**
  - **\$86** for **1** independent claims over 3.
  - **\$648** for **36** total claims over 20.

Replies should be mailed to:   Mail Stop Missing Parts  
  Commissioner for Patents  
  P.O. Box 1450  
  Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY